



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,348	11/26/2003	Allan H. Hansen	127/13	8239
7590	01/21/2005		EXAMINER	
Schwartz Law Firm, P.C. SouthPark Towers Suite 530 6100 Fairview Road Charlotte, NC 28210			BELLAMY, TAMIKO D	
			ART UNIT	PAPER NUMBER
			2856	

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/723,348	HANSEN, ALLAN H.	
	Examiner	Art Unit	
	Tamiko D. Bellamy	2856	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 November 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4,7-9,11-13,16-18 and 20 is/are rejected.
- 7) Claim(s) 5, 6, 10, 14, 15, and 19 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>1/22/04</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 7-9, 11-13, 16-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell (3,742,766) in view of Mitchell (3,888,128).

Re to claim 1, Mitchell '766 discloses in figs. 2 and 4, a head (e.g., conical upper end 18) adapted for engaging the vehicle wheel. Mitchell '766 discloses a body (e.g. support pin 16) extending from the head (e.g. conical upper end 18). Mitchell '766 discloses a base (e.g. enlarged pedestal 17) that is opposite of the head (e.g. conical upper end 18) and adapted for engaging the mounting member (e.g., spindle 13). While Mitchell' does not specifically disclose a connection end projecting from the base (e.g., engaging pedestal 17) and adapted for being inserted into a stud receiving hole, Mitchell '766 does provide a stud receiving hole (e.g., drilled hole 25 in the bottom of the body/pin 16). Mitchell also lacks the detail of a means for flexing the centering stud relative to the mounting member. Mitchell '128 discloses a connecting end (e.g., post 28) adapted for being inserted into a stud-receiving hole (e.g., axial recess 29) (col. 2, lines 40-43). Mitchell '128 also discloses a spring (28a) for holding the body/pin (30) in place (col. 2, lines 53-55). The spring (28a) inherently allows flexible movement of the stud/pin (30) relative to the mounting member. Therefore, to modify Mitchell '766 by

employing a connection end and a means for flexing the centering stud would have been obvious to one of ordinary skill in the art at the time of the invention since Mitchell '128 teaches a wheel balancing system having theses design characteristics. The skilled artisan would be motivated to combine the teachings of Mitchell '766 and Mitchell '128 since Mitchell '766 states that his invention is applicable to a mount for a wheel balancer and Mitchell '128 is directed to wheel balancing system that includes a mounting member.

Re to claim 2, as depicted in fig. 4, Mitchell '766 discloses a base (e.g., enlarged pedestal 17) and a body (e.g., support pin 16) define a longitudinal-extending internal cavity (e.g., drilled hole 25).

Re to claim 3, as depicted in fig. 4, Mitchell '766 discloses a base (e.g., enlarged pedestal 17) and a body (e.g., support pin 16) define a longitudinal-extending internal cavity (e.g., drilled hole 25). Mitchell '766 does not specifically disclose that the internal cavity is more than 5% of the entire length of the stud/pin (16). As depicted in fig. 3 and 6, Mitchell '128 discloses an internal cavity (e.g., axial recess 29) that extends more than 5% of the entire length of the centering stud/pin (30). Therefore, to modify Mitchell '766 by employing an internal cavity extending more than 5% would have been obvious to one of ordinary skill in the art at the time of the invention since Mitchell '128 teaches a wheel balancing system having theses design characteristics. The skilled artisan would be motivated to combine the teachings of Mitchell '766 and Mitchell '128 since Mitchell '766 states that his invention is applicable to a mount for a wheel balancer and Mitchell '128 is directed to wheel balancing system that includes a mounting member.

Re to claim 4, as depicted in fig. 4, Mitchell '766 discloses a base (e.g., enlarged pedestal 17) and a body (e.g., support pin 16) define a longitudinal-extending internal cavity (e.g., drilled hole 25). Mitchell '766 lacks the detail of an elongated pin received within the internal cavity. As depicted in fig. 6, Mitchell '128 discloses an elongated pin (e.g., post 28) received within the internal cavity (e.g., axial recess 29). Therefore, to modify Mitchell '766 by employing an elongated pin would have been obvious to one of ordinary skill in the art at the time of the invention since Mitchell '128 teaches a wheel balancing system having theses design characteristics. The skilled artisan would be motivated to combine the teachings of Mitchell '766 and Mitchell '128 since Mitchell '766 states that his invention is applicable to a mount for a wheel balancer and Mitchell '128 is directed to wheel balancing system that includes a mounting member.

Re to claim 7, as depicted in fig. 4, Mitchell '766 discloses a base (e.g., enlarged pedestal 17) having a diameter greater than the body/pin (16) and that of an internal cavity (e.g., drilled hole 25). Mitchell '766 does not specifically disclose that the diameter of the base is 3.5 times more than the diameter of a connecting pin. Mitchell '128 discloses a connecting pin (e.g., post 28). Therefore, to modify Mitchell '766 by employing a diameter of a base that is 3.5 times more than the diameter of the connecting end would have been obvious to one of ordinary skill in the art at the time of the invention since Mitchell '128 teaches a wheel balancing system having theses design characteristics. The skilled artisan would be motivated to combine the teachings of Mitchell '766 and Mitchell '128 since Mitchell '766 states that his invention is applicable

to a mount for a wheel balancer and Mitchell '128 is directed to wheel balancing system that includes a mounting member.

Re to claim 8, as depicted in fig. 4, Mitchell '766 discloses a base having a diameter that is more than 12.5 % larger than the maximum diameter of the head (e.g., conical upper end 18).

Re to claim 9, as depicted in fig. 4, Mitchell '766 discloses a head (e.g., conical upper end 18) having a beveled tip.

Re to claim 11, as depicted in fig. 4, Mitchell '766 discloses the head (e.g., conical upper end 18), the body/pin (16), and the base (e.g., enlarged pedestal 17) are integrally-formed together of a polymer material.

Re to claim 12, Mitchell '766 discloses in figs. 2 and 4, a head (e.g., conical upper end 18) adapted for engaging the vehicle wheel. Mitchell '766 discloses a body (e.g. support pin 16) extending from the head (e.g. conical upper end 18). Mitchell '766 discloses a base (e.g. enlarged pedestal 17) that is opposite of the head (e.g. conical upper end 18) and adapted for engaging the mounting member (e.g., spindle 13). As depicted in fig. 4, Mitchell '766 discloses a base (e.g., enlarged pedestal 17) and a body (e.g., support pin 16) define a longitudinal-extending internal cavity (e.g., drilled hole 25). Mitchell '766 lacks the detail of an elongated pin received within the internal cavity. As depicted in fig. 6, Mitchell '128 discloses an elongated pin (e.g., post 28) received within the internal cavity (e.g., axial recess 29). Therefore, to modify Mitchell '766 by employing an elongated pin would have been obvious to one of ordinary skill in the art at the time of the invention since Mitchell '128 teaches a wheel balancing system having

theses design characteristics. The skilled artisan would be motivated to combine the teachings of Mitchell '766 and Mitchell '128 since Mitchell '766 states that his invention is applicable to a mount for a wheel balancer and Mitchell '128 is directed to wheel balancing system that includes a mounting member.

Re to claim 13, as depicted in fig. 4, Mitchell '766 discloses a base (e.g., enlarged pedestal 17) and a body (e.g., support pin 16) define a longitudinal-extending internal cavity (e.g., drilled hole 25). Mitchell '766 does not specifically disclose that the internal cavity is more than 5% of the entire length of the stud/pin (16). As depicted in fig. 3 and 6, Mitchell '128 discloses an internal cavity (e.g., axial recess 29) that extends more than 5% of the entire length of the centering stud/pin (30). Therefore, to modify Mitchell '766 by employing an internal cavity extending more than 5% would have been obvious to one of ordinary skill in the art at the time of the invention since Mitchell '128 teaches a wheel balancing system having theses design characteristics. The skilled artisan would be motivated to combine the teachings of Mitchell '766 and Mitchell '128 since Mitchell '766 states that his invention is applicable to a mount for a wheel balancer and Mitchell '128 is directed to wheel balancing system that includes a mounting member.

Re to claim 16, as depicted in fig. 4, Mitchell '766 discloses a base (e.g., enlarged pedestal 17) having a diameter greater than the body/pin (16) and that of an internal cavity (e.g., drilled hole 25). Mitchell '766 does not specifically disclose that the diameter of the base is 3.5 times more than the diameter of a connecting pin. Mitchell '128 discloses a connecting pin (e.g., post 28). Therefore, to modify Mitchell '766 by employing a diameter of a base that is 3.5 times more than the diameter of the connecting

end would have been obvious to one of ordinary skill in the art at the time of the invention since Mitchell '128 teaches a wheel balancing system having theses design characteristics. The skilled artisan would be motivated to combine the teachings of Mitchell '766 and Mitchell '128 since Mitchell '766 states that his invention is applicable to a mount for a wheel balancer and Mitchell '128 is directed to wheel balancing system that includes a mounting member.

Re to claim 17, as depicted in fig. 4, Mitchell '766 discloses a base having a diameter that is more than 12.5 % larger than the maximum diameter of the head (e.g., conical upper end 18).

Re to claim 18, as depicted in fig. 4, Mitchell '766 discloses a head (e.g., conical upper end 18) having a beveled tip.

Re to claim 20, Mitchell '766 discloses in figs. 2 and 4, a head (e.g., conical upper end 18) adapted for engaging the vehicle wheel. Mitchell '766 discloses a body (e.g. support pin 16) extending from the head (e.g. conical upper end 18). Mitchell '766 discloses a base (e.g. enlarged pedestal 17) that is opposite of the head (e.g. conical upper end 18) and adapted for engaging the mounting member (e.g., spindle 13). Mitchell' does not specifically disclose a connection end projecting from the base (e.g., engaging pedestal 17) and adapted for being inserted into a stud receiving hole, Mitchell '766 does provide a stud receiving hole (e.g., drilled hole 25 in the bottom of the body/pin 16). Mitchell '128 discloses a connecting end (e.g., post 28) adapted for being inserted into a stud-receiving hole (e.g., axial recess 29) (col. 2, lines 40-43). Mitchell '128 also discloses a spring (28a) for holding the body/pin (30) in place (col. 2, lines 53-55). The

spring (28a) inherently allows flexible movement of the stud/pin (30) relative to the mounting member. Therefore, to modify Mitchell '766 by employing a connection end would have been obvious to one of ordinary skill in the art at the time of the invention since Mitchell '128 teaches a wheel balancing system having theses design characteristics. The skilled artisan would be motivated to combine the teachings of Mitchell '766 and Mitchell '128 since Mitchell '766 states that his invention is applicable to a mount for a wheel balancer and Mitchell '128 is directed to wheel balancing system that includes a mounting member.

Allowable Subject Matter

3. Claims 5, 6, 10, 14, 15, and 19 are objected to as being dependent upon a rejected base claim 1, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamiko D. Bellamy whose telephone number is (571) 272-2190. The examiner can normally be reached on Monday - Friday 6:30 AM to 3:30 PM.

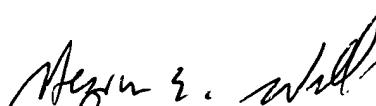
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2856

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tamiko Bellamy

T.B.
January 11, 2005


HEZRON WILLIAMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800